Vol. XXVI....No. 7,854.

AN INTERESTING QUESTION.

rgame appertaining to digrestion. This class of persons ut

HOOFLAND'S GERMAN BITTERS.

CHOLERA SEASON

HOOFLAND'S GERMAN BITTERS,

DEBILITY: DEBILITY:

PROSTRATION OF THE SYSTEM,

EXPOSURE.

SEVERE HARDSHIPS.

DISEASES OF CAMP LIFE. SOLDIERS, CITIZENS, MALE OR FEMALE.

ADULT OR YOUTH. will find in this BITTERS

· pure tonic, not dependent on bad liquors for the

This BITTERS will cure the most severe cases of DYSPEPSIA.

All are more or less affected during the Spring and Fall, with tor-pidity of that important organ of digestion, the liver. This BITTERS, without containing any preparation of mercury, or by purging, arts powerfully on this organ, excites it to a healthy and lively action, and gives a tone to the whole system; hours.

gives a tone to the whole system; hence HEALTH, ENERGY AND STRENGTH

Sickness, Debility and Lamitude.

HOOFLAND'S GERMAN BITTERS

Chronic or Nervous Debility, Diseases of the Kidneys
And Diseases arising from a Disordered

Stomach.

Observe the following symptoms resulting from disorders of the di-

re organs: ipation, Inward Piles, Fullness of Blood to the Head, Acidity of the Stomach, Nausea, Heartburn, Disgust for Food, Full-ness or Weight in the Stomach, Sour Erects-tions, Sinking or Fluttering at the

Pit of the Stomach, Swimming of the Head, Hurried and Difficult Breathing,

Sciency of Perspiration, Yellowness of the Skin and Eyes. Pain in the Side, Back. Chest. Limbs, &c. &c., Sudden Flushes of Heat, Burning in the

select those of well-known persons whose intelligence and discrim-nation are beyond doubt, and we will pay one thousand dollars to an one producing a certificate published by us that is not genuine.

RECOMMENDATIONS.

cine in case of attacks of indigestion or Dyspepsia. I can certify this from my expetience of it.

Yours, with respect.

JAMES THOMPSON.

From A. McMakin, esq., New York, No. 963 Broadway, March 29,

DRAN Non: I take great pleasure in teatifying to the extraordinary remedial qualities of the HOOFLAND'S GERMAN BITTERS procured at your establishment.

A member of the family has been for many years a perfect martyr A member of the tamity has one not many years of the Dyspepsia, Palpitation of the Heart, and other distressing of springs of a torpid liver, until persuaded to try the above celebrated remedy, which in a few weeks resulted in making her (to use her own words)

You are at liberty to make any use of this you see fit, or refer ain

celebrated Manufacturers of Fancy Iron Works, No. 259
Canal st.:
I am the recipient from you of one of the greatest favors that can be

conferred upon man, viz., that of health. For many years have I conferred upon man, viz., that of bealth. For many years have I suffered from one of the most annoying and debilitating complaints that the human family can be afflicted with—chronic diarrhes.

During the long time I was suffering from this disease I was sitended by regular physicians, giving me but temporary relief. The cause seemed to remain until I was induced to try HOOFLAND'S OER.

MAN BITTERS. After the use of a few bottles of that valuable swedicine the complaint appeared to be completely exadicated. I often

inwardly thank you for such a valuable specific, and, whenever I have From Rev. Levi J. Reck. Pastor of the Baptist Church, Pemberton, N.

L., formerly of the North Baptist Church, Philadelphia, at present Paster of the Baptist Church, Chester, Penn.: I have known HOOFLAND'S GERMAN BITTERS favorably for a

number of years. I have used them in my own family, and have been so pleased with their effects that I was induced to recommend them to many others, and know that they have operated in a strikingly beneficial manner. I take great pleasure in thus publicly proclaiming this fact, and calling the attention of those afflicted with the diseases for which they are recommended to these BITTERS, knowing from experience that my recommendation will be sustained. I do this more cheerfully as HOOFLAND'S BITTERS is intended to benefit the

From Rev. W. D. Seigfried, Pastor of the Twelfth Raptist Church.

From Rev. W. D. Seigfried, Pastor of the Toefith Raptist Church, Philadelphia Gentlement: I have recently been laboring under the distressing affects of indigestion, accompanied by prestration of the nervous system. Numerous remedies were recommended by friends, and same of them tested, but without relief. Your HOOFLAND'S GER MAN BITTERS were recommended by persons who had tried them, and whose fevorable mention of these Bitters induced me to try them. I must confess that I had an aversion to Patent Medicines, from the "thousand and one" quack "bitters" whose only aim seems to be to palm of sweetened and drugged fiquor upon the community in a sly way. off ewestened and drugged fiquor upon the community in a sly way, and the tendency of which, I fear, is to make many a confirmed drunkard. Upon learning that yours was really a medicinal preparation, I took it with happy effect. Its action, not only upon the stomach but the nervous system, was prompt and graifying. I feel that I Wes. Very respectfully, yours, W. D. SEIGFRIED, No. 284 Shacksmaron et.

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Should your nearest Druggist not have the article, do not be put off by any of the intoxicating preparations that may be offered in fla place, but send to us, and we will forward it, secorely packed, by PRINCIPAL OFFICE AND MANUFACTORY. No. 631 ARCH-ST., PHILADELPHIA, PA. JONES & EVANS, PROPRIETORS.

For sale by Druggists and Dealers in every town in the United States. The Agency in NEW-YORK is at PRUG AND CHEMICAL WAREHOUSE.

No. 594 BROADWAY

RECONSTRUCTION.

Report of the Congressional Committee.

The Course of the President Reviewed, and the Powers of President and Congress Defined.

Reconstruction the Proper Charge of the Law-Making Power.

Illegal Organization of State Governments Exposed, and Revival of the Spirit of Secession Portrayed.

Guaranties of Peace and Freedom to be Required from the Rebellious States.

THE ULTIMATUM OF CONGRESS.

Committee, submitted by Mr. Fessenden to the Senate yesterday. It was signed by all the Republican members

The Joint Committee of the two Houses of Congress appointed under the concurrent resolution of Dec. 13, 1865, with direction "to inquire into the condition of the America, and report whether they or any of them are entitled to be represented in either House of Congress, with leave to report by bill or otherwise," ask leave to report:

That they have attended to the duties assigned them as sidnously as other duties would permit, and now submit to Congress, as the result of their deliberations a resolution proposing amendments to the Constitution and two bills, of which they recommend the adoption. Before proceeding to set forth in detail the reasons to

which, after great deliberation, your Committee have arrived, they beg leave to advert briefly to the course of proceedings they found it necessary to adopt, and to explain the reasons therefor.

The resolution under which your Committee was

pointed directed them to inquire into the condition of the considerable amount of time. It must embrace the condition in which those State were left at the close of the war, the measures which had been taken toward the reorganization of civil government, and the disposition of the people toward the United States-in a word, their fitness to take an active part in the administration of National

As to their condition at the close of the Rebellion, th evidence is open to all, and admits of no dispute. They were in a state of utter exhaustion. Having protracted their struggle against Federal authorities until all hope of the people of these States were, when the Rebellion was croshed, "deprived of all civil government," and must proceed to organize anew. In his conversation with Mr. Stearns of Massachusetts, certified by himself, President laid out on the ground, and they must be taken up and adapted to the progress of events." Finding the Southern

cept to execute the laws of the land, as Chief Magistrate. in-Chief of the Army and Navy of the United States. Those Confederate States embraced a portion of the people of the Union who had been in a state of revolt, but had been reduced to obedience by force of arms. They were without commercial connections, without national or inwithdrawing their representatives in Congress, by renouncing the privilege of representation, by organizing a separate government-and by levying war against the United States, they destroyed their State Constitutions in respect to the vital principle which connected the respective States with the Union, and secured their federal relations; and nothing of those constitutions was left of which the United States were bound to take notice. For four years they had a de facto government, but it was usurped and ille gal. They chose the tribunal of arms wherein to decide thether or not it should be legalized, and they were defeated. At the close of the Rebellion, therefore, the peo ple of the rebellious States were formed, as the President expresses it, " deprived of all civil government."

Under this state of affairs it was plainly the duty of the President to enforce existing national laws, and to establish, as far as he could, such a system of government as commander-in-chief of a victorious army, it was his duty, ander the law of nations and the army regulations, to restore order, to preserve propriety, and to protect the people against violence from any quarter, until provision should e made by law for their government. He might, as President, assemble Congress and submit the whole matter to the law-making power, or he might continue military supervision and control until Congress should assemble on its regular appointed day. Selecting the latter alternative, he proceeded, by virtue of his power as commander-in-chief, to appoint Provisional Governors in the revolted States. These were regularly commissioned, and their compensation was paid, as the Secretary of War stated, "from the appropriation for army contingencies, because the duties performed by the parties were regarded of a temporary character, auxiliary to the withdrawal of the military force, the disbandment of armies, and the reduction of military expenditure by provisional organizations for the protection of civil rights, the preservation of peace, and to take the place of armed force in the espective States." It cannot, we think, be contended that these Governors possessed, or would exercise, any but military authority. They had no power known to organize civil governments nor to exercise any authority, except that which inhered in their own persons under their commissions. Neither had the President or Commander-in-Chief any other than military authority. It was for him to decide how far he would exercise it, when, how far he would relax it, when and on what he would withdraw it. He might properly permit the people to assemble and to initiate local governments, and to execute such laws as they might choose to frame, not inconsistent with nor in opposition to the laws of the United States. And, if satisfied that they might safely be left to themselves, he might withdraw the military forces altogether, and leave the

tion, in any other light than as intimations to the people that, as Commander-in-Chief of the Army, he would consent to withdraw military rule just in proportion as they der among themselves, establish governments denoting loyalty to the Union and exhibit a settled determination to return to their allegiance, leaving with the law-making power to fix the terms of their final restoration to all their the view of his power taken by the President, is evident from expressions to that effect in the communications of the Secretary of State to the various Provisional Governors rdinate branch of the Government, which should not be hightly attributed to the Chief Magistrate of the nation. When Congress assembled in December last, the people

of most of the States lately in Rebellion had, under the advice of the President, organized local governments, and details for the information of Congress. While in this and in a subsequent message, the President urged the estoration, yet it is quite obvious that Congress must restoration, yet it is quite obvious that Congress must either have acted blindly on that opinion of the President, or proceeded to obtain the information requisite for intelligent action on the subject. The imprepriety of proceeding wholly on the judgment of any one man, however exalted his station, in a matter involving the welfare of the Republic in all future time, or of adopting any plan, coming from any source, without fully understanding all its bearings, and comprehending its full effect, was apparent. The first step, therefore, was to obtain the required information. A call was accordingly made on the President for the information in his possession as to what had been done, in order that Congress might judge for itself as to the grounds of the belief expressed by him in the fitness of the States recently in rebellion to participate fully in the conduct of National affairs. This information was not immediately communicated. When the response was finally male, some six weeks after your Committee had been in actual session, it was found that the evidence upon which the President had based his surgestions was incomplete and unsatisfactory. Authenticated copies of the new Constitutions and ordinances adopted by the conventions of three of the States had been submitted, extracts from newspapers furnished scanty information as to the action of one other State, and nothing appears to have been communicated as to the remainder. There was no evidence of the loyalty of those who had participated in these conventions, and in one State allone was any proposition made to submit the action of the conventions to the final judgment of the people.

Failing to obtain the desired information, and left to grope for light whereon it might be feund, your Committee did not deem it advisable or safe to adopt, without further examination, the surgestions, more especially as

he had not deemed it expedient to remove the military force, to suspend martial law, or to restore the writ of habeas corpus, but still thought it necessary to exercise over the people of the rebellious States his military power and jurisdiction. This conclusion derived still greater force from the fact, undisputed, that in all these States, except Tennessee and perhaps Arkansas, the elections which were held for State officers and Members of Congress had resulted almost universally in the defeat of candidates who had been true to the Union, and in the election of motorious and unpardoned Reuels, some who could not take the prescribed oath of office, and who made no secret of their hostility to the Government and people of the United States. Under these circumstances anything like hasty action would have been as dangerous as it was obviously unwise. It appeared to your Committee that but one course remained, viz., to investigate thoroughly and carefully the state of feeling existing among the people of these States, to ascertain how far their pretended loyalty could be relied upon, and thence to infer whether it would be safe to admit them at once to a full participation in the Government they had fought for four years to destroy. It was an equally important inquiry whether their restors tion to their former relations with the United States should only be granted upon certain conditions and guarantees which would effectually secure the nation against a recurrence of cvils so disastrous as those from which it had escaped at so enormous a sacrifice.

To obtain the necessary information recourse could only

rence of evils so disastrous as those from which receive of evils so disastrous as those from which recourse could only be had to the cramination of witnesses whose position had given them the best means of forming an accurate judgment, who could state facts from their own observation, and whose character and standing afforded the best evidence of their truthulness and impartiality. A work like this, covering so large an extent of certifory, and embracing such complicated and extensive inquiries, necessarily required much time and labor. To shorten the time as much as possible the work was divided and placed in the hands of four sub-committees, who have been different and the hands of four sub-committees, who have been different and the hands of four sub-committees, who have been different and the sub-committees. as much as possible the work was divided and places in the hands of four sub-committees, who have been dili-gently employed in its accomplishment. The results of their labors have been heretofore submitted, and the coun-try will judge how far they sustain the President's views and how far they justify the conclusions to which your Committee have smally arrived.

founded either in reason or in law, and which cannot be passed without comment. Stated in a few words it amounts to this: that, inasmuch as the lately insurgent States had no legal right to separate themselves from the Union, they

no legal right to separate themselves from the Union, they still retain their position as States, and, consequently, the people thereof have a right to immediate representation in Congress, without the imposition of any conditions whatever; and, further, that, until such admission, Congress has no right to tax them for the support of the Government. It has even been contended that, until such admission, all legislation affecting their interests is, if not unconstitutional, at least unjustifiable and oppressive.

It is believed by your Committee that all these propositions are not only wholly untenable, but if admitted would tend to the destruction of the Government.

It must not be forgotten that the people of these States, without justification or excuse, rose in insurrection against the United States. They deliberately abolished their State Governments, so far as the same connected them politically with the Union, as members thereof under the Constitution. They deliberately renounced their allegiance to the Federal Government, and proceeded to establish an independent government for themselves. In the prosecution of this enterprise they seized the National forts, arsenals, dockyards, and other public property within their borders, drove out from among them those who remained true to the Union, and heaped every imaginable insult and injury upon the United States and its citizens. Finally, they opened hostilities and levied war against the Government. They contined this war for four years with the most determined and malignant spirit, killing in battle, and otherwise, large numbers of loyal people, destroying the property of loyal citizens on the sea and on the land, and entailing on the Government an enormous debt, incurred to sustain its rightful authority. Whether legally and constitutionally or not, they did in fact withdraw from the Union and made themselves subjects of another Government of their own creation, and

sist, affording no evidence whatever of repentance for their crime and expressing no regret except that, they had no longer the power to continue the desperate struggle. It cannot, we think, be denied by any one having a tolerable acquaintance with public laws, that the war thus waged was a civil war of the greatest magnitude. The people waging it were necessarily subject to all the rules which, by the law of nations, control a contest of that character, and to all the legitimate consequences following it. One of these consequences was that, within the limits prescribed by humanity, the conquered Rebels were at the mercy of the conquerors. That a Government thus outraged had a most perfect right to exact indemnity for the injuries done and security against the recurrence of such outrages in the future, would seem too clear for dispute. What proof should be required of a return to allegiance, what time should clapse before a people thus demoralized should be restored in full to the enjoyment of political rights and privileges, are questions for the law-making power to decide, and that decision involves grave considerations of the public safety and the general welfare. It is, moreover, contended, and with apparent gravity, that from the peculiar nature and character of our Government, no such right on the part of the conqueror can exist; that from the moment when Rebellion lays down its arms and actual hostilities cease, all political rights of rebellious communities are at once restored; that because the people of a State of the Union were once an organized community within the Union they necessarily so remain, and their rights to be represented in Congress at any and all times, and to participate in the government of the country under all circumstances, admit of neither question nor dispute. If this is indeed true, then is the Government of the United States powerless for its own protection, and flagrant Rebellion carried to the extreme of civil war is a pastine which any State may play people of any or all of those States to govern themselves without his interference. In the language of the Secretary of State in his telegram to the Provisional Governor of Georgia, dated October 28, 1865, he might "recognize the people of any State as having resumed the relations of loyalty to the Union," and act, in his military capacity, on this hypothesis. All this was within his own discretion as military commander. But it was not for him to decide upon the nature or effect of any system of government which the people of these States might see fit to adopt. This power is lodged by the Constitution in the Congress of the United States, that branch of the Government in which is vested the authority to fix the political relations of the States to the Union and to protect each and all of them against foreign or domestic violence, and against each other. We cannot, therefore, regard the various acts of the President in relation to the beginning of the connected with the General Government which is restart to the connected with the General Government of the Union and for protect each and all of them against foreign or domestic violence, and against each other. We cannot, therefore, regard the various acts of the President in relation to the beginning to the providence of the Union and to protect each and all of them against foreign or domestic violence, and against each other. We cannot, therefore, regard the various acts of the President in relation to the beginning to the government republicant in form, un-

tions. It is more than idle, it is a mockery, to contend that a people who have thrown off their allegiance, destroyed the local government which bound their States to the Union as members thereof, defied its authority, refused to execute its laws, and abrogated all that gave them political rights within the Union, still retain, through all, the perfect and entire right to resume at their own will and pleasure all their privileges in the Union, and especially to participate in its government and to control the conduct of its affairs. To admit such a principle for one moment would be to declare that treason is always master, and loyality a blunder. Such a principle is void by its very nature and essense, because inconsistent with the theory of government, and fatal to its very existence. On the contrary, we assert that no portion of the people of this country, either in State or Territory, have the right, while remaining on its soil, to withdraw from or reject the authority of the United States. They must acknowledge its jurisdiction. They have no right to secede, and while they can destroy their State governments and place themselves beyond the pale of the Union, so far as the exercise of State privileges is concerned, they cannot escape the obligations imposed upon them by the Constitution and laws, nor impair the exercise of National authority. The Constitution, it will be observed, does not act upon States, as such, but upon the people. While, therefore, the people cease to exist in an organized form, they thus dissolve their political relations with the United States. That taxation should be only with the consent of the taxed through their own representatives, is a cardinal principle of all free governments; but it is not true that taxation and representation must go together under all circumstances, and at every movement of time. The people of the District of Columbia, and of all the Territories are taxed, although not represented in Congress. If it is true that the people of the States, or the people of t NEW-YORK, SATURDAY, JUNE 9, 1866. of government, would be unreasonable in their and angula-to the Nation. It is sufficient to reply that the loss of representation by the people of the insurrectionary States was their own voluntary choice. They might abandon thei "eges, but they could not escape their obligations. And y they have no right to complain if, before re-summ those privileges, and while the people of the United States are devising measures for the public safety, rendered necessary by the act of those who thus disfran-chised themselves, they are compelled to contribute their test proportion of the general burden of taxation incurred It is m stratisirable that the union of all the States should become perfect at the earliest possible moment consistent with the peace and welfare of the nation; that all these States should become fully represented in the National councils, and take their share of the legislation of the country. The possession and exercise of more than its just share of power by any section is distracting and demoralizing in its tendency as to all others, and such a state of affairs is only to be tolerated on the ground of a necessary regard to the public safety. As soon as the safety is secured it should terminate. Your Committee came to the consideration of the subject referred to them with the most anxious desire to ascertain what was the condition of the people of the States recently in insurrection, and what if anything was necessary to be done before restoring them to the full enjoyment of all their original privileges. It was undeniable that the war into which they had plunged the counscassary to be done before restoring them to the fall enjoyment of all their original privileges. It was undeniable that the war into which they had plunged the country had naturally changed their relations to the loval people of the loval States. Slavery has been abolished by Constitutional amendment. A large proportion of the population had become, instead of mere chattels, free men and critizens. Through all the struggle those had remained true and loval, and had in large numbers fought on the side of Union. It was impossible to abandon them, without securing them their rights as men and citizens. The whole civilized world would have cried out against such base ingratified, and the bare idea is offensive to all right-thicking met. Hence it became important to inquire what could be done to secure their rights, civil and political. It was evident to your Committee that adequates security could only be found in appropriate provisions of the Constitution. Representation is based on the whole number of free persons in each State and three-fifths of all other persons. As a

not considered as having any rights, civil or political. It did not seem just or proper that all the political advantages derived from their becoming free should be confined to their former masters, who had fought against the Union, and withheld from themselves, who had always been loyal. Slavery, by building up a ruling and dominant class, had produced a spirit of oligarchy adverse to Republican institutions, which finally inaugurated civil war. The tendency of continuing the domination of such a class by leaving it in the exclusive possession of political power would be to encourage the same spirit and lead to a similar result—doubt whether Congress had power, even under the amended Constitution, to prescribe the qualifications of voters in a State, or could set directly on the subject. It was doubtful, in the opinion of your Committee, whether the States would consent to surrender a power they had always exercised, and to which they were attached. As the best, if not the only, method of surmounting the difficulty, and eminently just and proper in itself, your Committee came to the conclusion that political power should be possessed in all the States exactly in proportion as the right of suffrage should be granted, without distinction of color or race. This, it was thought, would leave the whole question with the people of each State, holding out to all the advantage of increased political power as an inducement to allow all to participate in its exercise. Such a provision would be in its nature gentle and persuasive, and would lead, it was hoped, at no distant day, to an equal participation of all, without distinction, in all the rights and privileges of citizenship; thus affording a full and adequate protection to all classes of citizens, since all would have through the ballot-box the power of self-protection. Holding these views, your Committee prepared an amendment to the Constitution to carry out this idea, and submitted the same to Congress; unfortunately, as we think, it did not receive the necessary

another form, hoping that it may receive the appropation of Congress.

Your Committee have been unable to find in the evidence submitted to Congress by the President, under date of March 6, 1866, in compliance with the resolutions of January 3 and February 27, 1866, any satisfactory proof that either of the insurrectionary States except, perhaps, the State of Tennessee, has placed itself in a condition to resume its political relations to the Union: the first step toward that end would necessarily be the establishment of a republican form of government by the people. It has been before remarked that the Provisional Governors appointed by the President in the exercise of his military authority, could do nothing by virtue of the power thus conferred toward the establishment of a State government. They were acting under the War Department, and paid conferred toward the establishment of a State government. They were acting under the War Department, and paid out of its funds. They were simply bridging over the chasm between rebellion and restoration, and yet we find them calling conventions and convening legislatures. Not only this, but we find the conventions and legislatures thus convened acting under excentive directions as to the provisions required to be adopted in their constitutions and ordinances, as conditions precedent to their recognition by the President. The inducements held out by the President for compliance with the conditions imposed were directed in one instance—and presumably, therefore, in others—to the immediate admission of Senators and Representatives dence in the good faith of their members. Gov. Perry of
South Carolina dissolved the convention assembled in that
State before the suggestion had reached Columbia from
Washington that the Rebel war debt should be repudiated,
and gave as his reason that it was a "revolutionary body."
There is no evidence of the lovalty or disloyalty of the
members of those conventions and legislatures except the
fact of pardons being asked for on their account. Some of
these States now claiming representation refused to adopt
the conditions imposed. No trustworthy information is
found in these papers as to the constitutional provisions
of several of these States, while in not one of them is there
the slightest evidence to show that those "amended conof several of these States, while in not one of them is there the slightest evidence to show that those "amended constitutions," as they are called, have ever been submitted to the people for their adoption. In North Carolina alone an ordinance was passel to that effect, but it does not appear to have been acted on. Not one of them, therefore, has been actified. Whether, with President Johnson, we adopt the theory that the old constitutions were abrogated and destroyed, and the people "deprived of civil government," or whether we adopt the alternative docirme that they were only suspended, and were revived by the suppression of the Rebellion, the new provisions must be considered as equally destitute of validity before adoption by the people. If the conventions were called for the sole purpose of putting the State Government into

operation, they had not power either to adopt a new constitution or to amend an old one without the consent of the people. Nor could either a convention or a legislature change the fundamental law without power previously conferred. In the view of your Committee, it follows, therefore, that the people of a State where the constitution has thus been amended might feel themselves justified in repudiating altogether such unauthorized assumptions of power, and might be expected to do so at pleasure.

STATE GOVERNMENTS PRREGULARLY ORGANIZED. STATE GOVERNMENTS IRREGULARLY ORGANIZEO. So far as the disposition of the people of the insurrectionary States, and the probability of adopting measures conforming to the changed condition of affairs, can be inferred from the papers submitted by the President as the basis of this action, the prospects are far from encouraging. It appear quite clear that the anti-Slavery amendments both to the State and Federal Constitutions were adopted with refuectance by the bodies which did adopt them, while in some States they have either been passed by in silence or rejected. The language of all the provisions or ordinances of those States amount to nothing more than an unwilling admission of an unwelcome truth. As to the ordinance of secession, it is in some cases de-

by in silence or rejected. The language of all the provisions or ordinances of those States amount to nothing more than an unwilling admission of an unwelcome trath. As to the ordinance of secession, it is in some cases declared "null and void," and in others simply repealed;" and in no instance is a refutation of this deadly heresy considered worthy a place in the new Constitution.

If, as the President assumes, these insurrectionary States were at the close of the war wholly without State government, it would seem that before being admitted in the direction of public affairs, such governments should be regularly organized. Long usage has established, and numerous statutes have pointed out the mode in which this should be done. A convertion to form a form of government should be assembled under competent authority. Ordinarily, this authority enanates from Congress; but, under peculiar circumstances, your Committee is not disposed to criticise the President's action in assuming the power exercised by him in this regard. The convention, when assembled, should frame a constitution of government, which should be submitted to the people for adoption. If adopted, a Legislature should be convened to pass the laws necessary to carry it into effect. When a State thus organized claims representation in Congress, the election of representatives should be provided for by law, in accordance with the laws of Congress regulating representation, and the proof that the action taken has been in conformity to law should be submitted to Congress.

In no case have these essential preliminaries been taken. The conventions assembled seem to have assumed that the Constitution, which had been repudiated and overthrown, was still in existence, and operative to constitute the States members of the Union, and to have contented themselves with such amendments as they were informed were requisite in order to insure them an immediate return to a participation in the Government of the United States. Not waiting to acceptant when the people t

to representation at once, trusting that time and expense world set all things right. Whether it would be rests upon the late it who are seeking restoration to the rights and vii which they willingly abandoned, and not up a the people of the United States, who have never undertaken, directly or indirectly, to deprive them thereof. Underfied pear affirmatively that they are prepared and disposed in good faith to accept the results of the war, to abandon their hestility to the Government, and to live in peace and unity with the people of the loval States, extending to all classes equal rights and privileges and conforming to the republican idea of liberty and equality. They should exhibit in their sets something more than an unwilling submission—a dea of liberty and equality. They should exhibit in their acts something more than an unwilling submission—a feeling, if not cheerful, certainly not offensive and defiant; and they should evince an utter repudiation of all hostility to the General Government by an acceptance of such just and reasonable conditions as that government should think the public safety demands. Has this been done? Let us look at the facts shown by the evidence taken by the Com-

destroy. Allowed and encouraged by the Executive to organize State governments, they at once place in power leading Rebels, unrepentant and unpardoned, excluding with contempt those who had manifested an attachment to the Union, and preferring, in many instances, those who had rendered themselves most obnoxious. In the face of the law requiring an oath of office which would necessarily exclude all such from Federal offices, they elect, with very few exceptions, as Senators and Representatives to Congress, men who had actively participated in the Rebellion, insultingly denouncing the laws as unconstitutional. It is only necessary to instance the election to the Senate of the late Vice-President of the Confederacy, a man who lent his own declared great ability and his influence as a most prominent public man to the cause of the Rebellion, and who, unpardoned Rebel that he is, with that oath staring him in the face, had the assurance to lay his credentials on the table of the Senate. Other Rebels, of scarcely less note or notoriety, were elected from other quarters—professing no repentance, glorying apparently in the crime they had committed, avowing still, as the uncontradicted testimony of Mr. Stephens and others prove, an adherence to the pernicious doctrine of Secession, and declaring that they only yielded to necessity. They insist, with unanimous voice, upon their rights as States, and proclaim that they will submit to no conditions whatever as preliminary to their resumption of power under that Constitution which they still

their rights as States, and proclaim that they will submit to no conditions whatever as preliminary to their resump-tion of power under that Constitution which they still claim the right to repudiate.

Examining the evidence taken by your Committee, still Examining the evidence taken by your Committee, still further in connection with facts too notorious to be disputed, it appears that the Southern press, with few exceptions, and those mainly of newspapers recently established by Northern men, abounds with weekly and daily abuse of the institutions of the people of the loyal States, defends the men who led and the principles which incited the rebellion, denounces and reviles Southern men who adhered to the Union, and strives, constantly and unscrupulously, by any means in its power, to keep alive the fire of hate and discord between the two sections; calling upon the President to violate his oath of office and overturn the Government by force of arms, and drive the Representatives of the people from their scats in Congress. The national banner is openly insulted, not only by an ignorant population, but at public meetings, and once, among other notable instances, at a dinner given in honor of a notorious Rebel who had violated his oath and abandoned his place. The same individual is elected to an important office in the leading city of his State, although an unpardoned Rebel, and so offensive that the Press silently allows him to enter upon his official duties. In another State the leading General of the Rebel armies is openly nominated for Governor by the Speaker of the House of Delegates, and the nomination is hailed by the people with shouts of satisfaction, and openly indorsed by the press.

Looking still further at the evidence taken by your

nation is hailed by the people with shouts of satisfaction, and openly indorsed by the press.

Looking still further at the evidence taken by your Committee, it is found to be clearly shown by witnesses of the highest character and having the best means of information, that the Freedmen's Bureau instituted for the relief and protection of the freedmen and refugees, is almost universally opposed by the mass of the population, and in an efficient condition only under military protection, while the Union men of the South are earnest in its defense, declaring in one voice that without its protection the colored people would be unable to obtain labor at fair prices, and could hardly live in safety. They also testify that without the protection of the United States troops Union men, whether of Northern or Southern birth, would be obliged to abandon their homes. The feeling in many portions of the country toward emancipated slaves, especially among the uneducated and ignorant, is one of vindictive and malicious hatred. This deep-seated prejudice against color is assiduously calityated by the public journals, and leads to acts of cruelty, oppression and murder, which the local authorities are at no pains to prevent or punish. There is no disposition to place the colored men, constituting at least four-fifths of the population, upon terms of even civil equality, while many instances may be found where large planters and men of the better class accept the situation and honorably strive to bring about a better order of things by employing the freedmen at fair wages, and treating then kindly. The general feeling and disposition, among all classes, are yet totally averse to the toleration of any class of people friendly to the Union, be they white or black, and this aversion is not unfrequently manifested in an insulting and offensive manner.

The witnesses examined as to the willingness of the people of the South to contribute to render existing laws,

ing the war. The testimony on this point came from officers of the Union army, officers of the late Rebel army, Union men of the Southern States, and avowed Soccessionists, almost all of whom state that, in their opinion, the people of the rebellious States would, if they should see a prespect of success, repudiate the National debt.

While there is scarcely any hope or desire among leading men to renew the attempt at Soccession at any future time, there is still, according to a large number of witnesses, including A. H. Stephens, who may be regarded as good authority on that point, a generally prevailing opinion which defends the legal right of Secession, and upholds the doctrine that the first allogiance of the people is due to the States, and not to the United States. This belief evidently prevails among leading and prominent men as well as among the masses, anywhere, except in some of the northern counties of Alabama and the eastern counties of Tennessee.

The evidence of an intense hostility to the Federal Un-ton and an equally intense love of the late Confederacy, martured by the war, is decisive. While it appears that nearly all are willing to submit, at least for the time being.

prosecutions have been instituted in State Courts against Union officers for acts done in the line of official duty, and similar prosecutions are threatened elsewhere as soon as the United States troops are removed. All such demonstrations show a state of feeling against which it is unmistakably necessary to guard.

The testimony is conclusive that after the collapse of the Confederacy the feeling of the people of the rebellious, States was that of abject submission. Having appealed to the tribunal of arms, they had no hope except that, by the magnanimity of their conquerors, their lives and possibly their property might be preserved. Unfortunately, the general issue of pardons to persons who had been grominent in the Rebellion, and the feeling of kindliness and conciliation manifested by the Executive and very generally indicated through the Northern press, had the effect to render whole communities forgetful of the crime they had commisted, defiant toward the Federal Government, and regardless of their duties as citizens. The conciliatory measures of the Government do not seem to have been met even half way. The bitterness and defiance exhibited toward the United States, under such circumstances, is without a parallel in the history of the world. In return for our leniency we receive only an insulting denial of our authority. In return for our kind desire, for the resumption of fraternal relations, we receive only an insulting denial of our authority. In return for our kind desire, for the resumption of fraternal relations, we receive only an insulting denial of our authority. In return for our kind desire, for the resumption of fraternal relations, we receive only an insulting denial of our authority. In return for our kind desire, for the resumption of fraternal relations, we receive only an insulting denial of our authority. In return for our kind desire, for the resumption of fraternal relations, of the world. In return for our kind desire, for the resumption of rights and privileges long since forfeited.

vindicated at so terrible a cost, are denounced as unjust and oppressive.

If we add to this evidence the fact that, although peace has been declared by the President, he has not, to this day, deemed it safe to restore the writ of habeas corpus, to relieve the insurrectionary States of martial law, nor to withdraw the troops from many localities, and that the Commanding General deems an increase of the army indispensable to the preservation of order and the protection of loyal and well-disposed people in the South, the proof of a conviction of feeling hostile to the Union and dangerous to the Government throughout the insurrectionary States, would seem to be overwhelming.

With such evidence before them, it is the opinion of your Committee:

our Committee:

I. That the States lately in Rebellion were, at the close

with such evidence obtained with a the opinion of the war, disorganized communities, without civil government, and without constitutions or other forms by virtue of which political relations could legally exist between them and the Federal Government.

II. That Congress cannot be expected to recognize as valid the election of men from disorganized communities, which, from the very nature of the case, were unable to present their claim to representation under those established and recognized rules, the observance of which has been hitherto required.

III. That Congress would not be justified in admitting such communities to a participation in the Government of the country without first providing such constitutional or other guarantees as will tend to secure the civil rights of all citizens of the republic, a just equality of representation, protection against claims founded in rebellion and erime, and, at least, a temporary restriction of the right of suffrage to those who have not actively participated in the effort to destroy the Union, and the exclusion from positions of public trust of at least a portion of these whose crimes have proved them enemies of the Union and unworthy of public confidence.

Your Committee will, perhaps, hardly be deemed excussible for extending this report further, but inasmuch as immediate and unconditional representation of the States lately in Rebellion is demanded as a matter of right, and delay and even hesitation is denounced as grossly oppressive and unjust, as well as unwise and impolitic, it may no be amiss again to call attention to a few undisputed and notorious facts, and the principles of public law applicable thereto, in order that the propriety of that claim may be fully considered and well understood.

The State of Tennessee occupies a position distinct from all the other insurrectionary States, and has been the sub-

all the other insurrectionary States, and has een the sup-ject of a separate report, which your committee have not thought it expedient to disturb. Whether Congress shall see fit to make that State the subject of separate action, or to include it in the same category with all others so far as concerns the imposition of preliminary conditions, it is not within the province of this committee either to determine

and reasonable conditions as that government should think the public safety demands. Has this been done? Let us look at the facts shown by the evidence taken by the Committee.

Hardly has the war closed before the people of these insurrectionary States come forward and haughtly claim, as a right, the privilege of participating at once in that Government which they had for four years been fighting to destroy. Allowed and encouraged by the Executive to organize State governments, they at once place in power leading Rebels unrepentant and unpardoned, excluding

the consideration of each House separately, after the preliminary question shall have been finally determined.

We now propose to restate as briefly as possible the
general facts and principles applicable to the States retly in rebellion.

First: The seats of the Senators and Representatives
from the so-called Confederate States became vacant in
the year 1861, during the second session of the XXXVIth
Congress, by the voluntary withdrawal of their incumbents
with the sanction and by the direction of the legislatures
or coventions of their respective States. This was done
as a hostile act against the Constitution and Government
of the United States, with a declared litent to overthrow
the same by forming a Southern Confederation. This act
of declared hostility was speedily followed by an organization of the same States into a confederacy which lived and
waged war by sea and land, against the United States.
This war continued more than four years, within which
time the Rebel armies besieged the National Capital, invaded the loyal States, burned their towns and cities,
robbed their citizens, destroyed more than 250,000 loyal
soldiers, and imposed an increased national burden of not
not less than \$3,500,000,000, of which seven or eight hundred millions have already been met and paid. From the
time that these Confederate States thus withdrew their
representation in Congress and levied war on the United
States, the great mass of their people became and were insurgents, rebels, traitors; and all of them occupied the
political, legal, and practical relation of enemies of the
United States. This position is established by acts of
Congress and judicial decisions, and is recognized repeatedit by the President in public proclamations, documents,
and speeches.

Second: The States thus confederated prosecuted their

Congress and judicial decisions, and is recognized repeatedly by the President in public proclamations, documents, and speeches.

Second: The States thus confederated prosecuted their war against the United States to final arbitrament, and did not cease until all their armies were captured, their military power destroyed, their civil officers, state and confederate, taken prisoners or put to flight, every vestige of State and Confederate Government obliterated, their territory overrun and occupied by the Federal Armies, and their people reduced to the condition of enemies conquered in war, entitled only, by public law, to such rights, privileges, and conditions as might be vouchsafed by the conqueror. This position is also established by judicial decisions, and is recognized as sound by the President in public proclamations, documents, and speeches.

Third: Having voluntarily deprived themselves of representation in Congress, for the criminal purpose of destroying the Federal Union, and having reduced themselves by the act of levying war to the contrary, having voluntarily renounced the right to complain of temporary exclusion from Congress; but, on the contrary, having voluntarily renounced the right to representation, and disqualified themselves by crime from participating in the Government, the burden now rests upon them, before claiming to be reinstated in their former condition, to show that they are qualified to resume Federal relations. In order to do this, they must prove that they have established, with the consent of the people, republican forms of government in harmony with the Constitution and laws of the United States, that all hostile purposes have ceased, and should give adequate guaranties against future treason and rebellion; guaranties which they rebelled, and by whose arms they were subdued.

Fourth: Having by this treasonable withdrawal from Congress, and by flagrant rebellion and crime forfeited all civil and political rights and privileges under the Federal Constitution, they can only be r

dued.

Fifth: These rebellions armies were conquered by the

dued.

Fifth: These rebellions armies were conquered by the people of the United States, acting through all the coordinate brancher of the Government, and not by the Executive Department alone. The powers of Congress are not so vested in the President that he can fix and regulate the terms of settlement and confer Congressional representation upon conquered Rebels and traitors, nor can he in any way qualify enemies of the Government to exercise its law-making power. The authority to restore Rebels to political power in the Federal Government can be exercised only with the concurrence of all the Departments in which political power is rested, and hence the several proclamations of the President to the people of the Confederate States cannot be considered declared, and can only be regarded as provisional permissions by the Commander-in-Chief of the army to do certain sets, the effect and validity whereof is to be determined by the Constitutional Government, and not solely by the Executive power.

Sixth: The question before Congress is then, Whether conquered enemies have the right, and shall be permitted at their own pleasure and own terms, to participate in making them.